

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Case No. DA 09-0578

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

HERMAN GONZALES; FAWN LYONS; KEN LAUDATO; LAWRENCE  
WALKER; GARY MANSIKKA; GARY GALETTI; GREG WHITING;  
MARVIN KRONE; RICHARD BLACK; JIM KELLY; CHRIS SOUSLEY, and  
all others similarly situated,

Plaintiffs and Appellees,

FILED

DEC 17 2009

-VS-

MONTANA POWER COMPANY; NORTHWESTERN CORPORATION, a  
Delaware corporation; NORTHWESTERN CORPORATION, a Delaware  
corporation, as a reorganized debtor, subsequent to its plan confirmation,  
hereinafter referred to as NOR; NORTHWESTERN CORPORATION d/b/a  
NORTHWESTERN ENERGY; PUTMAN AND ASSOCIATES, INC., a Montana  
corporation; and JOHN DOES II and III and JOHN DOES IV thru XX,

Defendants and Appellants.

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**APPELLEES' RESPONSE AND STATUS REPORT TO APPELLANT  
NORTHWESTERN CORPORATION AS A REORGANIZED DEBTOR'S  
AND APPELLANT PUTMAN & ASSOCIATES, INC.'S  
MOTIONS FOR EXTENSION OF TIME TO FILE OPENING BRIEF**

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Appellant Putman & Associates,  
Inc.*

COME NOW the Appellees and submit this Response and Status Report to the Court in Response to Appellants NorthWestern Corporation's, and Putman & Associates, Inc.'s, Motions for Extension of Time.

The Court is herein advised that the above-named parties have reached an agreement on the extension time period for the opening briefs, response briefs, and reply briefs. The agreement is as follows:

- January 22 for the Appellants' Opening Briefs,
- February 22 for the Appellees' Response Briefs, and
- Reply Briefs shall be due 14 days after filing of the Response Briefs.

The parties' agreement does not affect the Appellees' Motion for Expedited Proceedings and Suspension of the Rules as to an expedited decision by the Court. The issue of an expedited decision will survive, and will require a written response in opposition from the Appellants in accordance with the rules of this Court.

A proposed Order setting forth the agreed briefing schedule and surviving Motion for Expedited Proceedings is lodged with the Court.

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DATED this 16<sup>th</sup> day of December, 2009.

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## CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon the following individuals by the means designated below this 16<sup>th</sup> day of December, 2009:

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c: Chris Ragar

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